

EIGHTH DAY.

Senate Chamber,
Austin, Texas,
September 25, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem George C. Purl.

The roll was called, a quorum being present, the following Senators answering to their names:

Blackert.	Pace.
Collie.	Parr.
DeBerry.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Woodruff.
Cousins.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Regan:

S. B. No. 13, A bill to be entitled "An Act prescribing additional powers and duties of the commissioners' court in certain counties, etc., and declaring an emergency."

Read and referred to Committee on Educational Affairs.

Recess.

On motion of Senator Woodward, the Senate, at 10:08 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem George C. Purl.

Senators Excused.

Senator Beck was excused for the week on account of important business, on motion of Senator Collie.

Senator Cousins was excused for the day on account of illness in the family on motion of Senator Redditt.

Messages from the Governor.

Executive Office,
Austin, Texas, Sept. 22, 1933.
To the Forty-third Legislature in First Called Session:

By request of a majority of the Senate of Texas and of the House of Representatives, I submit for your consideration a bill hereto attached to be entitled: "An Act prescribing additional powers and duties of the commissioners' court in counties having a population of not less than 7,800 and not more than 8,000 according to the latest Federal Census."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 25, 1933.
To the Forty-third Legislature in First Called Session:

I herewith submit for your consideration the question of maintenance of State parks. The Federal Government has spent thousands of dollars in establishing new parks and it insists that some assurance and guarantee be given of maintenance. As we have a great pride in our State parks I submit that the matter be given your favorable and prompt consideration.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 25, 1933.
To the Forty-third Legislature in First Called Session:

By request I hereby submit for your consideration the question of the license, regulation, control, operation and conduct of billiard rooms in Texas under such rules and con-

ditions as the Legislature may impose.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 25, 1933.
To the Forty-third Legislature in
First Called Session:

By request of a majority of your membership, I hereby submit for your consideration a bill hereto attached to be entitled "An Act defining certain words, terms and phrases for the purposes of amending H. B. No. 578, Chapter 153 of the Acts of the Forty-third Legislature." This bill deals with the matter of amending the cigarette law.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 25, 1933.
To the Forty-third Legislature in
First Called Session:

By request of a majority of your membership, I herewith submit for your consideration a bill hereto attached to be entitled "An Act authorizing the State Board of Education to create and establish school districts at military reservations located within the State of Texas."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 25, 1933.
To the Forty-third Legislature in
First Called Session:

By request I hereby submit for your consideration a bill hereto attached to be entitled "An Act to cooperate with the National Government in the furtherance of the National Industrial Recovery Act" relative to hours of labor for persons employed by the State.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 25, 1933.
To the Forty-third Legislature in
First Called Session:

By request of a majority of the membership of your body, I herewith submit for your consideration a bill hereto attached dealing with the

question of permitting owners of property to procure the payment of the taxes thereupon by some other person to whom the tax collector shall assign the tax lien.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 22, 1933.
To the Forty-third Legislature in
First Called Session:

By request of a majority of your body I herewith submit for your consideration a bill hereto attached to be entitled: "An Act to amend Chapter 2, of Title 116, of the Revised Civil Statutes of Texas, 1925, by adding to said Chapter a new Article to be known as Article 6711-A."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 22, 1933.
To the Forty-third Legislature in
First Called Session:

I submit for your consideration by request of the majority of your body a bill hereto attached to be entitled: "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, Page 734, by adding thereto Section 5-A."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 22, 1933.
To the Forty-third Legislature in
First Called Session:

By request of a majority of your members and Dr. J. W. Brown, State Health Officer, I submit for your consideration a bill hereto attached to be entitled: "An Act for the continuation, for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making appropriation, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 22, 1933.
To the Forty-third Legislature in
First Called Session:

By request of a majority of the Senate of Texas and Dr. J. W.

Brown, State Health Officer, I submit herewith for your consideration a bill hereto attached to be entitled: "An Act to provide for the suppression of typhus fever in Texas through the control of rodent transmitters thereof."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Recess.

On motion of Senator Woodward, the Senate, at 2:10 o'clock p. m., recessed until 4 o'clock p. m.

After Recess.

The Senate met at 4 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem. George C. Purl.

At Ease.

By unanimous consent, the Senate stood at ease subject to the call of the Chair.

Request to Take Up Bill.

The Senate was called to order at 5:50 o'clock p. m., by President Pro Tem. George C. Purl.

Senator Parr asked unanimous consent to take up S. B. No. 11. The request was granted.

Senate Bill No. 11.

The Chair laid before the Senate the following bill:

By Senator Parr:

S. B. No. 11, A bill to be entitled "An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, as amended by H. B. No. 128, Chapter No. 26, of the Fifth Called Session of the Forty-first Legislature."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Read second time.

Senator Woodul sent up the following amendment:

(Adding the emergency clause.)

Read and adopted by unanimous consent.

The bill was passed to engrossment.

On motion of Senator Moore, the vote by which the bill was passed to engrossment was reconsidered.

Senator Rawlings moved to lay the bill on the table.

Senator Parr moved as a substitute that the bill be set as special order tomorrow immediately following the morning call.

Senator Rawlings raised the point of order that the substitute motion was not germane.

The Chair, President Pro Tem. George C. Purl, overruled the point of order.

Adjournment.

On motion of Senator Woodward, the Senate, at 6:07 o'clock p. m., adjourned until 8:55 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

(Letter.)

Charlotte, N. C., Sept. 23, 1933.

Hon. Bob Barker,
Secretary of the Senate,
Austin, Texas.

My dear Sir:

Personally and officially, I desire to convey to you, and through you to the Members of the General Assembly of the State of Texas and her Excellency, the Governor of your State, the sincere appreciation of our Association for the most cordial invitation which you have extended to the membership of the United States Good Roads Association to hold its Twenty-first Annual Convention in your State and in the City of Beaumont, October 11th, 12th and the 13th.

It was very gracious on the part of your Senate, House and your Governor to thus honor us, and we are deeply grateful to you.

Yours cordially,

T. L. KIRKPATRICK,
President, United States Good Roads Association.

Committee Reports.

Committee Room,
Austin, Texas, Sept. 26, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 4.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HOPKINS, Chairman.

Committee Room.

Austin, Texas, Sept. 25, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Privileges and Elections to whom was referred

S. B. No. 11, A bill to be entitled

"An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, as amended by H. B. No. 128, Chapter No. 26, of the Fifth Called Session of the Forty-first Legislature, providing for the method and time of securing certificates of exemption by persons exempt under the law from payment of poll taxes." etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

POAGE, Chairman.

In Memory of Mr. H. D. Holbrook

Senate Simple Resolution No. 15.

Senator Collie sent up the following resolution:

On the evening of September 23, 1933, Mr. H. D. Holbrook, of Eastland, the father of our distinguished and beloved colleague, Senator Thomas J. Holbrook, passed quietly from the activities of this life and now rests peacefully in his eternal home. He was born in Tyler, Smith County, Texas, September 15, 1848, and lived all of his life in his native State, in Smith and Eastland Counties. He has resided in Eastland County since 1898. Nature richly endowed him with intelligence, energy and strong physical constitution. Born in the pioneer days and deprivations of early Texas; into the depression and strangulation of the South following the Civil War; he had the courage and the energy and the ability to overcome the handicaps of his environments and win the struggles encountered in that early day. He was a man widely read, but he was most of all a student of human nature.

He followed the vocation of farming most of his active life. While always interested in political questions, only once did he offer for public office and served as Tax Assessor of Llano County forty years ago. On February 1, 1874, he married Miss Amanda McAdams, and to this union nine children were born, three of whom have preceded him in death. Mrs. Holbrook and six children survive. She is a beloved character, a woman of charm, intelligence and accomplishments. They have reared a family of splendid men and women, and these have lived to the honor and prestige of their distinguished parents. Their splendid lives are reflected in the lives of their children as fruitful trees spring from the mighty oaks.

The surviving members of the family are Mrs. Holbrook, Honorable Thomas J. Holbrook, Galveston; G. D. Holbrook, Lubbock; Mrs. W. S. Poe and Mrs. Thornton Cooper, Eastland; Mrs. Charles Ellis, Longview; and Mrs. Henry Bray, Henderson.

It is sad, indeed, to reflect that his long and beneficent life has reached its close, but as his annointed soul winged its flight to its final rest, he was surrounded by the members of the family and they were comforted by friends whom he loved and who loved him in return.

Recognizing the hand of a loving Father in the taking away to higher duties and loftier service this pioneer Texas citizen after a sojourn of 85 years and 8 days upon this earth, we, the members of the Senate of Texas, bow in reverent submission.

Realizing the sorrow of these, the widow, the sons and daughters, and other loved ones, we extend our deep and heartfelt sympathy, and bow in grief with them at the bier of this noble and patriotic citizen.

RESOLVED that the Secretary of the Senate be requested to convey a copy of this message to the members of the family, and that this simple tribute of affection be recorded in a special page of the Journal, and that when the Senate adjourns today it do so in his memory.

COLLIE,
BECK,
BLACKERT,
COUSINS,
DeBERRY,
DUGGAN,
FELLBAUM,
GREER,
HOPKINS,
HORNSBY,
MARTIN,

MOORE,
MURPHY,
NEAL,
ONEAL,
PACE,
PARR,
PATTON,
POAGE,
PURL,
RAWLINGS,

REDDITT,
REGAN,
RUSSEK,
SANDERFORD,
SMALL,
STONE,
WOODRUFF,
WOODUL,
WOODWARD,
WITT, Lt. Gov.

Read and adopted unanimously by a rising vote.